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Attorney for Defendant Rafael Romero-Duarte

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

Case No. CR 09-119 BR 1

Plaintiff,

***EX PARTE*
MOTION TO SEAL**

v.

RAFAEL ROMERO DUARTE,

Defendant.

COMES NOW the defendant, Rafael Romero Duarte, by and through his attorney, Ernest Warren, Jr., and respectfully requests that the court seal the following documents:

- Defendant Rafael Romero-Duarte's Motion to Compel Disclosure of Identities of and to Allow Pretrial interviews of Confidential Informants and Sources;
- Defendant Rafael Romero-Duarte's Affidavit in Support of Defendant Rafael Romero-Duarte's Motion to Compel Disclosure of Identities of and to Allow Pretrial interviews of Confidential Informants and Sources;
- Exhibits 104, 105, 106, 107 and 108 to the Defendant Rafael Romero-Duarte's Affidavit in Support of Defendant Rafael Romero-Duarte's Motion to Compel Disclosure of Identities of and to Allow Pretrial interviews of Confidential Informants

and Sources;

- Defendant Rafael Romero-Duarte's Motion to Suppress Wiretap interceptions (10/17/08) And "Fruits" and Motion for Franks Hearing;
- Exhibits 109, 110, 111, 112, 117 (Application for Order Authorizing Interception of Wire Communications dated October 17, 2008) and 118 (Order Authorizing the Interception of Wire Communications dated October 17, 2008).
- Defendant Rafael Romero-Duarte's Motion to Suppress Wiretap interceptions (11/7/08) And "Fruits" and Motion for Franks Hearing;
- Exhibit 113, The Application for Order Authorizing Interception of Wire Communications dated November 7, 2008;
- Defendant Rafael Romero-Duarte's Motion to Suppress Wiretap interceptions (11/14/08) And "Fruits" and Motion for Franks Hearing;
- Exhibit 114, The Application for Order Authorizing Interception of Wire Communications dated November 14, 2008 and Exhibit 121 Order Authorizing the Interception of Wire Communications dated November 14, 2008.
- Defendant Rafael Romero-Duarte's Motion to Suppress Wiretap interceptions (12/11/08) And "Fruits" and Motion for Franks Hearing;
- Exhibit 115, The Application for Order Authorizing Interception of Wire Communications dated December 11, 2008 and Exhibit 119, the Order Authorizing the Interception of Wire Communications dated December 11, 2008.
- Defendant Rafael Romero-Duarte's Motion to Suppress Wiretap interceptions (1/30/09) And "Fruits" and Motion for Franks Hearing;
- Exhibit 116, The Application for Order Authorizing Interception of Wire Communications dated January 30, 2009 and Exhibit 120, the Order Authorizing the Interception of Wire Communications dated January 30, 2009.
- Defendant Rafael Romero-Duarte's Affidavit in Support of Defendant Rafael

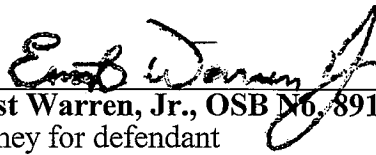
Romero-Duarte's Motion to Suppress Wiretap interceptions (10/17/08) And "Fruits" and Motion for Franks Hearing

- Defendant Rafael Romero-Duarte's Affidavit in Support of Defendant Rafael Romero-Duarte's Motion to Suppress Wiretap interceptions (11/7/08) And "Fruits" and Motion for Franks Hearing
- Defendant Rafael Romero-Duarte's Affidavit in Support of Defendant Rafael Romero-Duarte's Motion to Suppress Wiretap interceptions (11/14/08) And "Fruits" and Motion for Franks Hearing
- Defendant Rafael Romero-Duarte's Affidavit in Support of Defendant Rafael Romero-Duarte's Motion to Suppress Wiretap interceptions (12/11/08) And "Fruits" and Motion for Franks Hearing
- Affidavit of Counsel in Support of Defendant Rafael Romero-Duarte's Affidavit in Support of Defendant Rafael Romero-Duarte's Motion to Suppress Wiretap interceptions (10/18/08) And "Fruits" and Motion for Franks Hearing.
- Affidavit of Counsel in Support of Defendant Rafael Romero-Duarte's Affidavit in Support of Defendant Rafael Romero-Duarte's Motion to Suppress Wiretap interceptions (11/07/08) And "Fruits" and Motion for Franks Hearing.
- Affidavit of Counsel in Support of Defendant Rafael Romero-Duarte's Affidavit in Support of Defendant Rafael Romero-Duarte's Motion to Suppress Wiretap interceptions (11/14/08) And "Fruits" and Motion for Franks Hearing.
- Affidavit of Counsel in Support of Defendant Rafael Romero-Duarte's Affidavit in Support of Defendant Rafael Romero-Duarte's Motion to Suppress Wiretap interceptions (12/11/08) And "Fruits" and Motion for Franks Hearing.
- Affidavit of Counsel in Support of Defendant Rafael Romero-Duarte's Affidavit in Support of Defendant Rafael Romero-Duarte's Motion to Suppress Wiretap interceptions (1/30/09) And "Fruits" and Motion for Franks Hearing.

- This motion and accompanying order.

Given that the above stated documents outline sensitive material regarding this case and the defendant and his attorney will be referring to and attaching documents to the pleadings that have been, and currently are, under seal.

DATED this 7th day of December, 2009.


Ernest Warren, Jr., OSB No. 89138
Attorney for defendant

CERTIFICATE OF SERVICE

I hereby certify that I have served a certified true copy of the EX PARTE MOTION TO SEAL DEFENDANT'S SUPPLEMENTAL SENTENCING MEMORANDUM in the attached matter upon the parties listed below on the 7th day of December, 2009, by:

[xx] electronic mail to each of the parties as follows:

Thomas Edmonds
United States Attorney's Office
Suite 600
1000 SW Third Avenue
Portland, Oregon 97204-2902

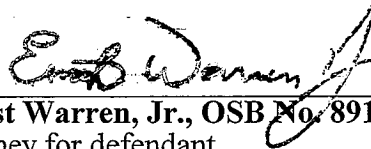
tom.edmonds@usdoj.gov

[] mailing to him/her/them said document(s), and deposited in the U.S. Post Office in Portland, Oregon, with postage on each fully prepaid and addressed to the parties at their last known place of business or residence as follows:

and filed the original with the Court on the date listed below.

DATED this 7th day of December, 2009.

WARREN & WATKINS



Ernest Warren, Jr., OSB No. 89138
Attorney for defendant